

To Whom It May Concern at the EEOC (INQUIRY 450-2020-01683) :

My name is **Bo Chen (642-22-2739)** and I have worked in the IT industry for since around 2005. I have lived in the Arlington, Texas area for the past 15 years. Most of my IT positions have traditionally been located in the north Dallas area.

I believe I am the victim of unlawful discrimination based on color, race/ethnicity, national origin, and the victim of unlawful retaliation as protected under the EEOC. This is a brief overview of the facts, but I have hundreds of emails, documents and dozens of hours of voice recordings to fully support and prove these allegations. **My EEOC inquiry/case number is # 450-2020-01683**

In short, summary, **Lonestar LLC and Daseke Inc (by and through their IT Director Mr. David Musgrave) hired me under materially false pretenses; and then knowingly compelled me to lie to coworkers, to misrepresent to auditors, to commit illegal acts during the course of my work including coercing me to help illegally retaliate against other coworkers, and to commit software piracy on their behalf.** During the course of my 12+ month's employment the management at **Lonestar permitted, encouraged and actively fostered an environment of persistent and pervasive racisms and discrimination against me based on color, race and national origin, and took no actions when I complained to them about the hostile and discriminatory work environment.** In fact they subsequently and perhaps **unlawfully retaliated against me for reporting these wrongdoings to the parent company** and for "going above them"... **I was abruptly terminated without cause the very same morning that I sent a letter to upper management at the parent** company (publicly traded and under SOX audit) disclosing wrongdoings that I have perceived. Later the Lonestar company **denied my unemployment** with the Texas Workforce Commission (which I have submitted an appeal) and also **did not pay me the full amount of my final pay that I had already earned at the time of termination**, despite me contacting them about this after they terminated my employment.

The comprehensive evidence proffered below will clearly establish a pattern of behavior by the company (largely by and through their IT Director David Musgrave) that culminated into distinctive violations that constituted employment discrimination as it pertains to the Texas Civil Rights Division and the Federal EEOC.

From the very beginning Mr. Musgrave hired me on with knowingly and provably false pretenses, and did not disclose these false pretenses to me until after I started working at Lonestar. He then intentionally lied to the rest of his team/company with regards to his actual motive of my hiring, and also coerced me to cover up for him in support of his intentionally false narratives.

I submit to you that these actions were not done to my benefit but for the sole benefit of himself. He wanted a token Asian sort of 'Uncle Yang' that he could control and manipulate and he thought by offering \$90k for what amounted to a \$65k job (the Lonestar network never had any routing protocols to administrate, no VLANs, etc) that he could not only buy my silence and loyalty but also pit me into a discriminatory environment that he himself fostered just for the purpose of keeping me on a tight lease and to maintain unethical leverage and control over me in order to compel me to do his bidding of helping him fire other individuals in the company such as Patrick Macik and Phillip Knox, and to retain **plausible deniability for himself so that after I became less useful to him he would be able to conveniently throw me under the bus relying on the pre-established heavy anti-Chinese sentiment in the Lonestar trucking company.**

After the previous Vice President of IT the Mr. Pete Trotsky retired, the Lonestar company decided to get rid of the VP/CIO position in favor of reducing it to a IT Director role. This reduction meant that Musgrave, unlike his predecessor Pete Trotsky, would not be offered to sign 5 year lucrative contracts with the company and would instead be employed "at will" like everyone else. Mr. Musgrave was the newcomer to the very established and tenured IT team, having held the reigns for only a few months

unsupervised by Pete before making his first hire (myself) while the rest of the IT team had seniority of 12 years, 14 years, 20 years and 26 years... Musgrave felt that Patrick Macik (network administrator with the company for 14 years) was a threat to his own job security and that given the network administrator was the highest ranking position (essentially the right hand man or second chair) second only to the IT Director, he wanted to get rid of Macik to cover up his own technical inabilities and incompetencies and to bring in someone new that he could then more easily manipulate and control. **By hiring a token Asian into the position of Network Administrator Musgrave knew he would never have to worry about the "Chinaman" taking over his job because he stated the owner Tex Robbins would only allow white guys to such high positions at the company.**

Many of Musgrave's actions when seen in the totality of full context of the bigger picture could be permissibly inferred as attempts to "Divide and Conquer" and to pit each team member against one another for example by **offering raises with the quid quo pro of pledges of personal loyalty**, by taking each team member individually to paid lunches one at a time and disclosing negative things about other team members to get them to distrust one another or to fight amongst themselves, and by **abusing his managerial powers to write team members up to HR when there was no just cause and when these arbitrary and capricious acts were accompanied by ulterior and much more diabolical motives.** Musgrave would often become extremely angry whenever any of the IT members would even talk or discuss anything with anyone in the company other than himself, he effectively forced an embargo of communication in which everything had to go through himself, and did not tolerate any deviation and viewed anything else than absolute unquestioned loyalty as acts of insubordination. Musgrave held this sort of leverage to keep everyone in 'check' and this combination of questionable behavior was so that he could retain power, and to mask and cover up for the fact that he was extremely insecure due to incompetence (Musgrave was a project manager and never served in CIO or IT Director roles) and to compensate for his total and complete lack of any and all technical skills (couldn't even log into his own laptop at times and had to call Rudy to fix it for him remotely).

Due in part to Musgrave's intentional deceptions and Musgrave's fostering of a manipulative and hostile work environment in which each team member was structurally pitted against one another by Musgrave's design; I, being the only Chinese American at the entire company, was repeatedly and constantly subjected to a plethora of unlawfully racist and discriminatory acts by others in the company, and indeed even by those in my very same IT department. And during the course of my employment these discriminations often intensified instead of abating. When I reported these things to Musgrave he not only took no action, but essentially silenced me and forbade me to disclose this to anyone else nor to go above him. Musgrave took no actions to correct the situation and in fact intentionally made it worse by continuing to actively harbor and protect those who he knew to have committed these racist and discriminatory acts and by continuing to create these sort of adversarial environments in which he benefits by sowing divisiveness into the members of the team often at the expense of subjecting me to unlawful discrimination. While pitting one another against each other is typically an interdepartmental dynamic or simple office politics, but when Musgrave new of these racist acts and other discriminatory acts being inflicted upon me based on race, color, national origin, etc and still did absolutely nothing then it rose to the level and threshold of violation of employment discrimination as it pertains to the Texas Civil Rights Division and the Federal EEOC.

When I reported all of this to the upper management at Lonestar LLC and the upper management at Daseke Inc I was immediately terminated without Cause without anyone first reaching out to get clarification or to have any sort of discussion or communication.

During early November 2018 I started looking for a new position that had a closer commute and applied to the "Network administrator" position at Lonestar LLC (of which Daseke Inc is the parent company) posted on Dice.com and Indeed.com by the "Matrix Res" staffing and recruiting firm. The Matrix recruiter, Mr. John Gruebmeyer, stated to me that he had a previous established relationship with the hiring manager, the Lonestar IT Director Mr. David Musgrave, and that together they were looking for an addition to enhance the skillset of their existing four-member IT/MIS team.

I was invited to a lunch interview in which Mr. David Musgrave asked me no technical questions, only stating that he is looking for someone who could be able to start as soon as possible. Later that week I was asked if I could start immediately, in fact they wanted me to start the following **Tuesday November 27th 2018**. So I took a chance and left my previous IT position without even giving the standard two weeks' notice.

On my first day of work at Lonestar LLC Mr. Musgrave sat me down in private inside his office, and with the door closed shut he revealed to me that the **real reason he had hired me on was because he wanted me to help him do the dirty work in order to get rid of the existing Network Administrator (Patrick Macik)** whom had at that point already been with the company for approximately 13 years. He stated he had not told his team about this and that he wanted his team to believe that I was merely brought on as a contractor to help out with some short term projects and other side work for an undetermined period of time. **He also said that I would need to play along and essentially help him hide the truth from the rest of the team/company.** He sat me in an open cubicle in the Accounting department area as opposed to near the offices occupied by IT/MIS department. The first day I started Mr. Musgrave mentioned that Patrick was "very temperamental" and established that he was a hostile person to work with and to be very suspicious of Patrick potentially sabotaging the company network. Patrick Macik was responsible for both the systems administration and the network administration at the company. He asked me to unlawfully spy on Patrick to watch his web surfing and read his emails and fish for things on his work computer and report back on

what dirty I could find in order to find "cause" to terminate Patrick without giving him severance or unemployment.

The IT department at Lonestar consisted of a small handful of very tenured/senior individuals with the exception of myself and Mr. Musgrave. When the longstanding Mr. Pete Trotsky retired as the previous IT Director, the company brought on Mr. David Musgrave to fulfill that role in or around late 2017. Terry White was a helpdesk guy who did a little bit of work on the AS400 mainframe side, and had been with the company since the beginning, he had a 27-year tenure and was a member of the "good old boys" and personal buddies with the Lonestar owner /CEO Mr. Tex Robbins. Phillip Knox was a AS400 programmer whom had also been with the company for a long time, approximately 12 years. Patrick Macik was the resident Network administrator who also did application support and systems administration, and he had a 14-year tenure. Finally, there was a more senior desktop/helpdesk person called Rudy Arredondo whom also had a long 20-year tenure with the company, and in addition to doing helpdesk he was tasked with doing security, backups and tapes.

At around the 3-month mark in early March Mr. Musgrave sat me down and offered me \$90k a year to take over Patrick Macik's position. **He stated that if I didn't accept the offer that he would get rid of me and bring in another contractor who would be more than happy to steal Patrick's job.** I told him that I felt uncomfortable about the huge pay raise because he knew I had only been making \$67k at my previous position. **He wanted to "buy" my silence and loyalty.** I told him I did not feel my skills were technical enough to accept \$90k and that I would be happy to accept anything in the \$70k to \$77k range in terms of compensation. A day or two later he had HR type up an offer of \$80k and asked me to sign it. I was officially hired on by the company on Friday March, 1st 2019. When Musgrave realized Patrick refused to leave on his own and was essentially waiting to get terminated so he could get severance and unemployment benefits, Musgrave approached me with a new scheme. Musgrave was telling me that he was going to reach out to Matrix to have them call Patrick to help him find his next job, but that if Patrick got mad or took offense to it that I was to then step up and protect him by

stating that it was all my idea. He wanted to create a sort of false attribution and plausible deniability. Essentially **Musgrave expressed to me the intent that he was going to make me the scapegoat and throw me under the bus and wanted me to play along and be okay with his swindles.**

I was converted to a full-time employee on **March 1st 2019**. Soon after I noticed the workplace hostilities dramatically escalated. All of the very tenured team members felt like this new IT Director was making changes for the sake of change, the consensus and sentiment amongst the MIS team and that of the rest of the company at large is that Musgrave was and still is changing out systems just in order to put his stamp on everything even to the detriment of the stability and reliability of the business as a whole. The other tenured team members also strongly suspected (correctly, as it so turns out) that he hired on a contractor (myself) to replace one or more of them. Furthermore, since I was forbidden to give them full disclosure they grew even more suspicious and distrustful of me and it created a huge rift and uncomfortable and even adversarial working dynamic. It was very much a them vs me sort of interaction. As this was a predominantly white trucking company in a deep south red state many of the hostile remarks and actions taken against me were laced with racisms. Almost everyone at the company was a "MAGA hat" wearer and many in the IT department, including Terry White and Phillip Knox, -- and even Patrick Macik while he was still there --, had redirected a good part of their dissatisfaction of Director Musgrave towards me, **since I was now the new "chinaman" hired on to steal White American jobs.**

As Director Musgrave reassigned more and more projects and tasks from Patrick Macik and gave them over to me, Patrick started to get more vocal and had talks with Phillip and Terry about the fact that he thought Musgrave's ultimate intent was to get rid of him and install me as his replacement. **They all voiced their opinions amongst themselves that using a Chinese person for such a critical role was not a prudent move on the part of the IT Director.** Mr. Musgrave decided to keep Patrick on until the completion of the Nutanix/Lenovo "hyperconverged" infrastructure migration, and

disclosed to me that he intended to cut Patrick the moment the Nutanix migration completed.

In around the middle of May 2019 Mr. **Musgrave directly involved me in the termination of Patrick Macik. He stated that Patrick would be terminated on Wednesday May 15th 2019 and he needed me to be the one to terminate and cut all of his access** on a specific time that he would later designate to me that same morning. He told no other IT team members about any of this and did not disclose nor involve any other person. On that fateful morning he instructed me to work from home (using VPN) and to be on active 'standby' for his text message to give the green light to cut all of Patrick Macik's network and systems etc access at precisely the moment Patrick was called into HR office to process his termination paperwork. Musgrave instructed me to also remotely wiped Patrick's personal phone and other tablets and belongings.

After Mr. Musgrave had me personally terminate Patrick Macik and wipe his phone, he then instructed me to occupy the old office that had traditionally been held by Patrick. Since the rest of the IT team knew Musgrave had zero IT technical skills, and since I was told to move into Patrick's old office days after he was terminated, everyone was able to put two and two together and concluded that I had in fact "stolen" their beloved Patrick Macik's networking job.

They felt that I had lied to them about the true reason why I was brought onboard from the very beginning and held this against me. **Terry White started becoming more overtly racists, this was during the peak intensity of Trump's trade war with China, and Mr. White stated that like the "Chinaman" Andrew Yang (US Presidential Candidate who happens to be Chinese) that I too was a lunatic and needed to go back to school and also to go back to where I came from, etc.** I have always felt that Terry White has been extremely antagonistic towards me since day one. Understandably they view me as an outsider both in terms of seniority/tenure and the fact that given my ethnicity it is a stark juxtaposition to the rest of the demographics of the company. Terry

took it very personally as he also felt that I was directly responsible for screwing their beloved Patrick Macik out of his network job. Mr. White has often bent over backwards to intentionally make the workplace hostile for me and does not even attempt to hide his pervasive racisms.

Phillip Knox accused me of being a Chinese spy simply because he noticed that I used a Huawei phone, and this was also during the timeframe in which Trump was making a big deal out of the Huawei 5G geopolitical issue, and Phillip remarked that anyone who uses a Huawei device was an enemy of the United States of America and should be rounded up into concentration camps.

When they found out I was flying a DJI drone (Chinese company) during lunchtime at around the work area they also accused me of possibly collecting data for the ChiComs, etc. In some of the morning meetings, Musgrave himself would joke to the rest of the team saying: "don't worry he is not from China". While it is true that I have a US passport and am a US citizen, I was indeed born in China. Later Knox stated that if I ever did anything that rubbed him the wrong way he had a Glock in his glovebox and that he wasn't afraid to use it. Often he would make extremely discriminatory remarks and then follow up by saying he was "just joking" or that "he took the wrong meds". I have all of this on voice recording and can provide the evidence if required.

When I felt the remarks and rhetoric was escalating past a certain acceptable threshold I had went to Mr. Musgrave to advise him of these incidents. **He immediately told me that Terry White had the ear of Tex Robbins (Lonestar owner and CEO), Kristi Williams (CFO), and many other higher ups and that Mr. White was essentially "protected" since he had been with the company forever. Then as for Phillip Knox, Musgrave merely laughed it off and joked that Phillip was so large and heavy that anyone can just outrun him if he did try anything like that.**

It was around this period of time that Lonestar company under the direction of Daseke parent company had acquired another trucking company called Schilli. This created a new dynamic in which the two IT departments (Lonestar IT/MIS headed by David Musgrave and that of Schilli IT headed by IT Manager Nick Gorney) would have to merge and consolidate. Musgrave felt that Nick Gorney was a potential threat to his own job security (and even the combined IT departments had so little headcount that there couldn't possibly be a justification for two IT Managers or IT Directors etc) and took me out to lunch one day and attempted to enlist or recruit me to help him get rid of Gorney.

During the course of my employment, Musgrave never took any of us in the MIS team out on group lunches but instead would take us out individually one at a time. Often it was strategically timed for when he would need a favor. One time, before Musgrave went on a three-week overseas vacation to visit his home and family in South Africa, he had took me to lunch and handed me a bag of four or five personal computers. **He then instructed me to put unlicensed/pirated copies of Windows 10 operating system on all of the laptops, stating he was going to hand them out to family and friends during his trip back home.** For everyone else he bought them free lunch with the corporate card, but I always insisted on paying for my own lunches and I noticed this caused him to be agitated. At times it almost felt like he was trying to pit us against each other. Later it was discovered that he took Rudy and Terry out to lunch separately and told them to tell Patrick that his days are numbered. This had caused, unbeknownst to me at the time, all three of them to harbor even more resentment against me.

Musgrave also said he didn't have any "room" for Gorney, I offered to give Nick Gorney my office (previously occupied by my predecessor Patrick Macik) but Mr. Musgrave immediately shut down that idea. Musgrave's strategy to "deal" with Gorney is the same he deployed against Macik which is to contain and corner Patrick/Nick enough in hopes that they would get so fed up as to leave on their own without benefits. The first time around I stood by and did nothing and said nothing and just played along, but I

refused to remain silent for a second time. Unlike the situation with Macik in which there had already been previous incidents and "bad blood" between them, Mr. Nick Gorney started with a clean slate and did not deserve the sort of mistreatment that was enacted upon him by Musgrave. Like he did with Patrick, Musgrave also actively attempted to recruit me to help him do his dirty work in order to get rid of Gorney. Musgrave would make up fake "SOX Rules" to tell me to basically handicap Gorney's system and IT access when in reality he was unlawfully coercing me to help him illegally discriminate against what he perceived to be as a threat to his own job security.

At around the October timeline several different things all started converging at the same time. To make matters worse, he had already signed with GTT to do a complete network redesign, including a physical and logical overhaul of the company's entire networking infrastructure from the top down. He also planned a physical move from the current data center to a new data center at the QTS location in late December 2019. There was also the goal to have the Lonestar/Schilli IT departments and IT systems completely integrated by the end of December.

Musgrave was also under extreme pressure to help the company pass the SOX audit and instructed me to basically give him misleading numbers that would satisfy the auditors and get them off his back. For one example, to avoid increased scrutiny he instructed me to give fraudulent start date to the auditors to make it easier on the SOX compliance process. Another time after asking me to do a software inventory he then instructed and directed me to fudge the numbers to give fake license counts to the auditors simply because the company IT department was in the process of merging with Schilli IT and he didn't have the time nor budget to re-up the licenses for the year.

Even on the existing infrastructure side things were starting to fall apart. Back in April/May timeframe Musgrave had went against the recommendation of both Patrick Macik and myself (we recommended the Dell VxRails solution) and instead decided to go

with the Nutanix/Lenovo combination for the new infrastructure. The day after the Nutanix migration was completed he fired Patrick Macik. Now, almost half a year later the Nutanix infrastructure was having severe issues, sometimes causing all the servers to restart and much data corruption and once costed the Accounting department a whole weeks' worth of downtime and data loss. When he was here Patrick Macik had went on record to 'conscientiously object' the Lenovo/Nutanix solution and had very seriously recommended the Dell/ VxRail solution to Musgrave. As I was now the company's sole system administrator and also the lone network administrator, anything that went wrong, including the Nutanix stuff, was all blamed on me. Musgrave was more than happy to throw me under the bus for things that I didn't even cause, things I wasn't responsible for, and things that I couldn't have possibly prevented. He knew this and stated he simply "didn't care".

Musgrave would often make crude jokes such as stating why I could not give my cousins back in China a call (Lenovo is a Chinese company) to fix their broken shit.

When I had had enough of this scapegoating I decided to write a long email outlining the many flaws and bugs in the Nutanix system and then I copied the CFO (Kristi Williams) on one such email. Even though in the organizational chart Musgrave reported to the CEO Tex Robbins, in effect from a power dynamic perspective it was the CFO who was in charge of IT Director Musgrave. **Immediately the following day on Tuesday November 5th 2019 I'm called into Musgrave's office and given a stern lecture on how if I ever went above him again on anything that I would regret it and that there would be no second chances.** I apologized to Musgrave and assured him that I wouldn't go around or above him on anything ever again. I could see his entire face visible red and he was red hot mad.

Just merely a couple weeks later during our Performance evaluation meetings Mr. Musgrave told me he was going to put down "installing/configuring Nutanix" as my single most predominant contribution/accomplishment of the year. I felt this was extremely odd given the fact that he had kept Patrick Macik onboard precisely for utilizing him to implement the Nutanix migration and had in fact fired him the day after the migration was completely. Patrick himself pointed out the fact that the Lenovo switches were having

problems out of the box and wouldn't work correctly until a firmware update was applied to these brand new networking devices. Musgrave had also contracted with Lenovo professional services to assist with the Nutanix migration and in point of fact it was Patrick Macik working with Lenovo Professional Services in order to effectuate the migration. I was not involved with this migration at all and was doing side lined projects at the time, so for him to make such a material misrepresentation especially when on the heels of the Nutanix blowup that recently occurred just felt like him trying to "CYA" for his own job security at the expense of intentionally throwing me under the bus when in fact I had little to no involvement with the implementation of Nutanix.

The following day, on November 21st 2019, I wrote him an official email stating some of my feedback and concerns surrounding the discussion that we had had on the performance evaluation feedback, he never truly acknowledged this email even after I asked if he received it (and he said he read it but hadn't had time to fully process it yet) but merely **four days later on the morning of Monday November 25th 2019 he took me into his office and told me that he was writing me up to HR** and asked me to sign the paperwork. Many in the team have felt that Musgrave abuses his managerial power and misuses his authority to "write people up" to HR in order to coerce, intimidate, retaliate and to gain leverage over the rest of his team.

The next day, on the morning of **Tuesday November 26th 2019**, I was merely two minutes late for our daily 9:30AM IT team meeting which he always held in his office. **Musgrave started kicking and pounding at the wall to get my attention instead of emailing me, calling me or texting me or simply walking over the couple of feet from his office to mine** to remind me that it was time for the meeting. He also could have asked any one of the other three team members already in his office at the time to walk a few feet over and remind me that it was time for the meeting. I was caught up in responding to a long email and had merely lost track of time for a minute or two at the most. Our offices are adjacent and his desk is situated almost laterally to mine, which means if he pounds or kicks very hard on the wall to his left it will immediately vibrate over to the wall on my right hand side. He expressed his dissatisfaction towards me in more

than one way that morning, including making the crude remark of how my **"high dollar Chinese/Huawei spyware phone"** couldn't even set an accurate alarm etc. And during the end of this meeting he announced that the Schilli IT integration project was going much slower than expected and then **told the team I was to be designated to fly to Schilli Inc in Indiana in order to do the cleanup with their "Hippie" IT staff "in the nude", insinuating in front of the entire team that I was homosexual.** Musgrave had **falsely spread rumors to others in the company that I was gay** and "playing for the other team" and this directly caused at least one Lonestar employee (Mr. **James Molinaro**) to proactively reach out to me out of the blue after my termination asking me if I wanted to "hook up" with him, if I found him "interesting" in that way, asking what else I "wanted", and making passes at me. Musgrave knew that I had planned an overseas vacation during the last week or so of the year, in late December, and in fact the entire team knew of this months in advance. Later that day I expressed my concerns and he retorted that **he wouldn't approve vacation for me this year and that since I had not lost my belly fat I wouldn't fit on the small economy airplane seats anyhow.**

Musgrave told me to "clean up my office" by getting rid of some of the "personal shit" that I had accumulated and to make the desk neat and tidy and only have the necessary work tools in my office. **I noticed my name badge on the outside door of my office had mysteriously disappeared** but didn't feel comfortable asking around to see if anyone knew what the heck was happening.

During the IT morning meeting on **Wednesday November 27th 2019** Mr. Musgrave instructed me to work on the Exchange Mail server that evening from home (as the systems and network administrator I often had to perform work after hours by using VPN to connect to the company network remotely from home) and also that I was to remote back to the company by coming back on location/site on **Friday November 29th 2019** to help assist with swapping out some of the system backup tapes (this task was typically outside of the purview of the network administrator and had traditionally been something handled by Rudy) and later that afternoon I had overheard him on the phone

with Mr. John Gruebmeier (the same Matrix Res recruiter that originally connected me with the Lonestar job) and apparently he wanted to put an ad in for a position.

On the morning of Friday November 29th 2019 I received several text messages on my phone reminding me to go back to the company campus in order to swap out the backup tapes. Rudy had been out of town to visit family over the Thanksgiving break and Musgrave himself had retorted that he didn't want to come back to work on Thursday and Friday.

Then a few days later over the Thanksgiving break weekend I had some spare time and started drafting a letter to upper management about the wrongdoings of Musgrave and intended to send these to the higher management folks at Lonestar and the parent company Daseke. I intended to present this letter to the aforementioned upper management on either Monday or Tuesday of the following week after the holiday break. During the process of drafting the letter I got in touch with Patrick Macik since it was to be his 44th birthday on Monday December 2nd 2019; that's when he told me that after more than six months of unemployment he was still out of work and couldn't land a corporate job. He also told me that he suspected **Musgrave had been "blackballing" by intentionally giving malicious managerial references.** He stated that he had been on several dozen job interviews that went very well until at the stage in the process in which he used Musgrave as a managerial reference and then promptly never heard back from those prospects again. This was made all the more egregious given the well-known fact that it was Musgrave himself who went out of his way to encourage Macik to use him as a professional reference and affirmatively assured him he would give positive references. Musgrave offered this to Patrick while he was still employed during the course of his employment precisely as something that would help him in this transition and soften the blow and impact of job loss. When Patrick was canned in May, Musgrave assured the entire MIS team that the company retained Patrick on a per call or per hour consultant basis, but the several times myself and Rudy had suggested or recommended approval to reach out to Patrick I recall Musgrave stating that he wouldn't even call Patrick to trim his trees; and Musgrave seemed to be laughing at the fact that Macik had been reduced from

senior network admin to doing odd gigs here and there such as tree cutting. Patrick Macik had advised me that more than six months after his termination he was still an unemployed single father. He has actually been on the job hunt for almost a year now, ever since Musgrave took him out to lunch last December 2018 to tell him his days at Lonestar were numbered and that it was time to move on. Patrick is barely scrapping by doing odd jobs here and there, like tutoring math or babysitting pets, cutting trees and mowing lawns; and when Musgrave terminated Patrick his disabled handicapped sister whom had just suffered a stroke in a near coma was also living under his roof. These days Patrick is surviving on borrowing from his own 401k and relying on financial support from his elderly parents. He says the 3 months package that Tex gave him under the table burned through too quickly and that he had to ReFi his mortgage just to keep above the water.

Since I had previously established a good working relationship and rapport with Mr. Nick Gorney (IT manager on the Schilli side in Indiana) and had previously been in touch with him outside of work, I had messaged him as well to get his take on my predicament. He advised that if I were to send such a letter that I should be prepared for the contingency that Musgrave would terminate on the spot in order to silence me, he suggested that I sent it to as many senior officials as I could. At the same time Patrick Macik was telling me that based on his experience it would be better to voice it all out now than to wait for Musgrave to find any lame excuse to terminate me, indeed from Patrick's own personal experience his conservative approach of trying to placate Musgrave still ended up with him fired. Back in April when I knew Macik's days were numbered I had actually reached out to him back in March and April and offered to go to upper management together to perhaps work something out where he could still keep his job, but ultimately Macik didn't take me up on the offer and felt that by playing it safe he might have the best chance of changing Musgrave's mind. Hindsight is 20/20 but we all know how that worked out for him. Patrick urged me to find the email address of some of the board of directors and also copy them in on said email.

I showed both Patrick Macik and Nick Gorney several revisions of my draft letter, and towards the end after incorporating some of their inputs I already knew that by reaching out directly to the upper management of Lonestar and Daseke that I ran a risk of being terminated by Musgrave right then and there. Nick and Patrick both advised that if Lonestar decides to accept the two week notice or even if they terminate me right then and there on the spot, that they would be willing to write me a positive employment reference.

On the morning of **December 2nd 2019** I had sent the final version of the letter to the upper management at Lonestar and Daseke. Suffice it to say, **I was immediately terminated that morning and I never once received any communication, call, email or outreach nor was I contacted by Musgrave or HR or anyone else in the company to have a talk or discussion or anything of the kind.** To be clear, I never once received any email or outreach nor was I contacted by Musgrave or HR or anyone else in the company to have a talk or discussion or anything of the kind prior to being immediately terminated without Cause.

I applied for unemployment that same day and later that afternoon started searching for a new job, and was very surprised to come across an Advertisement for a Network Administrator position at Lonestar also posted by the exact same Matrix Res staffing agency dated the same day of December 2nd 2019! **They had already posted a public ad for the replacement hire of my position on the very same day they received my letter and terminated me abruptly.**

On Friday December 6th 2019 I received a final paycheck from the company that was more than two days of wages short. I had worked a full two week pay period the final week and was expecting to be paid \$2729.75 (after taxes) but instead was paid only \$2093.68 (after taxes) essentially **short by at least \$636.07 USD**. I wrote to the company post-termination after receiving my final pay to advise them of this mistake but never heard back from anyone and never gotten this corrected. In the mail, I received

several letters from the employer's insurance company notifying me that my coverage retroactively terminated on November 27th 2019 and that the company reported to them that the company terminated my employment on Wednesday November 27th 2019.

I reached out to Mr. John Gruebmeier from the same Matrix Res staffing firm shortly after being terminated but never once heard back from him or his company ever again.

Very Sincerely,

Bo Chen

Bo Chen 12/21/2019

A handwritten signature in cursive script that reads "Bo Chen".

Saturday, December 21, 2019